



SECRETARIAT

6 October 2009
Synopsis AS/Jur No 2009/07

To the Members of the Committee on Legal Affairs and Human Rights

Synopsis of the meetings held in Strasbourg from 28 September to 1 October 2009

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg

- **on 29 September 2009 at 14 h**, with Mr Pietro Marcenaro (Italy, SOC), 2nd Vice-Chairperson, then Mr Christos Pourgourides (Cyprus, EPP/CD), 1st Vice-Chairperson, in the Chair, as regards:
 - ***Drafting an additional Protocol to the European Convention on Human Rights concerning the right to a healthy environment*** (*Rapporteur: Mr Christopher Chope, United Kingdom, EDG*): considered a report tabled by the Committee on the Environment, Agriculture and Local and Regional Affairs and approved an opinion and five amendments to the draft recommendation;
 - ***Consideration of a motion for a resolution on the definition of political prisoners sent to the Committee for consultation on possible follow-up***: decided to recommend to the Bureau that this motion be sent to the Committee for report;
 - ***Sub-Committee on Human Rights*** (*Chairperson: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): heard a report by the Vice-Chairperson of the Sub-Committee, Mrs Marie-Louise Bemelmans-Videc, on the meeting held in Strasbourg on 29 September 2009 and endorsed the proposals of the Sub-Committee concerning the lists of candidates to the European Committee for the Prevention of Torture (CPT) submitted by the parliamentary delegations of the United Kingdom, Austria, Serbia, Turkey, Luxembourg, Slovenia, Germany and Bulgaria;
 - ***Sub-Committee on the Election of Judges to the European Court of Human Rights*** (*Chairperson: Mr Boriss Cilevičs, Latvia, SOC*): heard a report by the Chairperson of the Sub-Committee on the meeting held in Strasbourg on 28 September 2009.

- **on 30 September 2009 at 14 h**, with Mr Christos Pourgourides in the Chair, as regards:
 - ***Allegations of politically-motivated abuses of the criminal justice system in Council of Europe member states*** (*Rapporteur: Mrs Sabine Leutheusser-Schnarrenberger, Germany, ALDE*): took position on the amendments to the draft resolution;
 - ***Legal Remedies for Human Rights violations in the North Caucasus region*** (*Rapporteur: Mr Dick Marty, Switzerland, ALDE*): considered and declassified a second information report (AS/Jur (2009) 43);

- ***The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans*** (*Rapporteur: Mr Jean-Charles Gardetto, Monaco, EPP/CD*): considered an introductory memorandum;
 - ***An internationally recognised status of election observers*** (*Rapporteur: Mr Frans Weekers, Netherlands, ALDE*): decided to ask the Bureau to extend the mandate until 30 June 2010;
 - ***The European Charter for Regional or Minority Languages*** (*Rapporteur: Mr József Berényi, Slovak Republic, EPP/CD*): decided to ask the Bureau to extend the mandate until 30 June 2010;
 - ***“Parliamentary scrutiny of standards of the ECHR”***: decided to hold a hearing on this issue in Paris on 16 November 2009, with the participation of experts, in the context of the Conference on the future of the European Convention on Human Rights, to take place in Interlaken (Switzerland) in February 2010;
 - ***The necessity to take additional international legal steps to deal with sea piracy*** (*Rapporteur: Mr Serhiy Holovaty, Ukraine, ALDE*): authorised the rapporteur to attend the meeting of the Political Affairs Committee in Brussels on 17 November 2009, and to be accompanied by an expert;
 - ***Situation in Belarus***: decided to ask the Bureau to be seized for opinion on the report to be prepared by the Political Affairs Committee;
 - ***Membership of sub-committees***: took note of the following changes:
 - Mr Joseph Fenech Adami (Malta, EPP/CD) to become a member of the Sub-Committee on Human Rights, with Mrs Marie-Louise Coleiro-Preca as alternate
 - Mr René Rouquet (France, SOC) to become a member of the Sub-Committee on the Rights of Minorities
 - Mrs Zaruhi Postanjan (Armenia, EPP/CD) to become a member of the Sub-Committee on Crime Problems and the Fight against Terrorism
 - Mr Krasimir Minchev (Bulgaria, EPP/CD) to become a member of the Sub-Committee on Crime Problems and the Fight against Terrorism
 - ***Appointment of representatives of the Committee***:
 - Conference on New Partnerships for Torture Prevention in Europe (Strasbourg, 6 November 2009): Mrs Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD)
 - Belarusian European Forum (Minsk, 14 November 2009): Mr Christos Pourgourides (Cyprus, EPP/CD) (*subject to the authorisation of the Bureau*)
 - Congress of the World Coalition against the Death Penalty (Geneva, 24-26 February 2010): authorised Mrs Renate Wohlwend, rapporteur on the abolition of the death penalty in Council of Europe observer states, to participate in the Congress, and decided to ask the Bureau for authorisation to set up an ad hoc sub-committee to participate in this event.
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- **on 1 October 2009 at 9 h**, with Mr Dick Marty (Switzerland, ALDE) in the Chair, as regards:
 - ***For a greater commitment of member states concerning the efficiency and implementation of the Council of Europe Treaty Law*** (*Rapporteur: Mr John Prescott, United Kingdom, SOC*): held an exchange of views with the participation of:
 - Mr Jeremy McBride, Barrister, Visiting Professor, Central European University, Budapest and Member of the Scientific Committee of the European Union’s Fundamental Rights Agency, Vienna
 - Mr David Anderson, QC, Brick Court Chambers, Visiting Professor of Law, King’s College London
- and declassified a working document (AS/Jur (2009) 40);
- ***Next meetings***:
 - Paris, Monday 16 November 2009 at 9 h (Council of Europe Office)
 - Paris, Wednesday 16 December 2009 at 9 h (Council of Europe Office)
 - Strasbourg, during the Assembly’s 1st part-session of 2010 (25-29 January 2010)

The Sub-Committee on the Election of Judges to the European Court of Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 28 September 2009, with Mr Boriss Cilevičs (Latvia, SOC) in the Chair, as regards:

- **Hearing:** held a hearing with the candidates to the European Court of Human Rights in respect of Italy and adopted its recommendations for the attention of the Bureau of the Assembly with respect to the candidates from this country;
- **Next meeting:** left it to its Chairperson to convene the next meeting.

The Sub-Committee on Human Rights (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 29 September 2009, with Mr Jean-Claude Gardetto (Monaco, EPP/CD) in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT):** considered and approved its recommendations for the lists of candidates to the CPT in respect of the United Kingdom, Austria, Serbia, Turkey, Luxembourg, Slovenia, Germany and Bulgaria;
- **Öcalan case:** took note of a reply from the Chairperson of the CPT concerning cooperation between the CPT and Turkey regarding the conditions of detention of Mr Öcalan and decided to come back to this matter at a forthcoming meeting;
- **Next meeting:** left it to its Chairperson to convene the next meeting.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Isild Heurtin

cc: Secretary General and secretariat of the Assembly
Secretaries of National Delegations and of Political Groups of the Assembly
Observers to the Assembly
Secretary General of the Congress
Directors General
Director of the Private Office of the Secretary General of the Council of Europe
Secretary to the Committee of Ministers
Director of Communication
Permanent Representations to the Council of Europe